

REMARKS/ARGUMENTS

In the Office action mailed January 25, 2010, claims 1 – 9 and 13 – 15 were rejected. In response, Applicants have amended claims 5, 6, 13, and 14 and canceled claims 1 – 4 and 7. Applicants hereby request reconsideration of the application in view of the amended claims and the below-provided remarks.

For reference, claims 6 and 14 are amended to ensure proper antecedent basis and claim 14 is amended to correct a typographical error.

Claim Rejections under 35 U.S.C. 103

Claims 1 – 6, 8, and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Force et al. (U.S. Pat. No. 5,533,123, hereinafter Force) and further in view of Sutherland (U.S. Pat. No. 6,292,898, hereinafter Sutherland), Forward (U.S. Pat. No. 4,376,269) and Little et al. (U.S. Pub. No. 2001/0011353, hereinafter Little). Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Force, Sutherland, Forward, and Little and further in view of Beuten et al. (U.S. Pat. Pub. No. 2003/0018902, hereinafter Beuten). Additionally, claims 13 – 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Force, Sutherland, Forward, Little, and Beuten and further in view of McCurdy et al. (U.S. Pat. No. 5,117,222, hereinafter McCurdy). However, Applicants respectfully submit that the pending claims are patentable over Force, Sutherland, Forward, Little, Beuten, and McCurdy for the reasons provided below.

Claim 5

Claim 5 has been amended to particularly point out that the de-activation and/or destruction operations are carried out “during the start-up of the product.” Support for the amendment to claim 5 is found in Applicants’ specification at, for example, paragraphs [0004], [0040], and [0041]. As amended, claim 5 recites:

“A method of protecting at least one electronic component of a product against illicit manipulation and/or unauthorized access, characterized by the following method steps:

(i) checking that at least one activation condition is met by means of at least one activating unit,

(ii) if at least one activation condition is met, recognition of this fact and the desired effects it is to have are placed in store in coded form in at least one memory element that is used for starting-up the component, and

at the next attempt to start up the product;

reading out the activation condition; and

(iii) in response to the activation condition, activating at least one preventing unit that is connected to the activating unit and at least partly de-activating the operation of the component and/or at least partly destroying the component, by means of the preventing unit;

characterized in that the at least partial de-activation of the operation of the component and/or the at least partial destruction of the component is carried out during the start-up of the product by

(j=1) preventing an internal oscillator from beginning to oscillate;

(j=2) preventing an oscillator for an external clock signal from beginning to oscillate;

(j=4) preventing the build-up of a high voltage; and

(j=7) switching on an increased current drain in the operating state or the quiescent state.” (emphasis added)

The Office action cites Forward as teaching “to prevent an internal oscillator from beginning to oscillate.” Applicants assert that Forward does not teach or suggest a start-up operation that involves preventing an internal oscillator from beginning to oscillate as recited in amended claim 5.

Forward teaches a memory circuit for use in railway signaling operations. Forward, col. 1, lines 20 – 26. With reference to Fig. 1, components of the memory (1) control whether or not an oscillator (8) can operate and the starting and stopping of the oscillator (8) constitutes ongoing operation of the memory (1). In particular, the logic state of the output of the memory is influenced by the state of the oscillator. Therefore, non-operation of the oscillator (8) is part of the ongoing operation of the memory (1). Forward, col. 4, line 51 – col. 5, line 40, col. 5, lines 62 – 67, and Table 1.

Forward does not teach a start-up procedure of the memory (1) in which the oscillator (8) is prevented from oscillating. Rather, Forward teaches a memory in which part of the ongoing operation of the memory is starting and stopping the oscillator.

Because Forward fails to teach or suggest a start-up operation that involves stopping an internal oscillator from beginning to oscillate as recited in amended claim 5, Applicants assert that amended claim 5 is not obvious from Force, Sutherland, Forward, Little, and further in view of Beuten.

Additionally, the Office action cites Sutherland as teaching “preventing the build-up of a high voltage” and “switching on an increased current drain in the operating state of the quiescent state.” Applicants assert that Sutherland does not teach operations that are carried out during the start-up of a product as recited in amended claim 5. Sutherland, col. 9 lines 41 – 49 and col. 10, lines 4 – 9, addresses operations that occur “when an intrusion is detected by the detector.” (col. 9, line 42). However, the cited teachings of Sutherland are not operations carried out during the start-up of the product as recited in amended claim 5.

Claims 6, 8, and 9 depend from and incorporate all of the limitations of claim 5. Applicants respectfully assert that dependent claims 6, 8, and 9 are allowable at least based on an allowable claim 5.

Independent Claim 13

Independent claim 13 has been amended to particularly point out that the de-activation and/or destruction operations are carried out “during the start-up of the product.” Support for the amendment to claim 13 is found in Applicants’ specification at, for example, paragraphs [0004], [0040], and [0041]. Claim 13 also recites that the de-activation and/or destruction operations carried out during the start-up involve “preventing an internal oscillator from beginning to oscillate.”

Similar to claim 5, the Office action cites Forward as teaching “preventing an internal oscillator from beginning to oscillate.” Applicants assert that Forward does not teach or suggest a start-up operation that involves preventing an internal oscillator from beginning to oscillate as recited in amended claim 13.

Forward teaches a memory circuit for use in railway signaling operations. Forward, col. 1, lines 20 – 26. With reference to Fig. 1, components of the memory (1) control whether or not an oscillator (8) can operate and the starting and stopping of the oscillator (8) constitutes ongoing operation of the memory (1). In particular, the logic state of the output of the memory is influenced by the state of the oscillator. Therefore, non-operation of the oscillator (8) is part of the ongoing operation of the memory (1). Forward, col. 4, line 51 – col. 5, line 40, col. 5, lines 62 – 67, and Table 1.

Forward does not teach a start-up procedure of the memory (1) in which the oscillator (8) is prevented from oscillating. Rather, Forward teaches a memory in which part of the ongoing operation of the memory is starting and stopping the oscillator.

Because Forward fails to teach or suggest a start-up operation that involves stopping an internal oscillator from beginning to oscillate as recited in amended claim 13, Applicants assert that amended claim 13 is not obvious from Force, Sutherland, Forward, Little, Beuten, and McCurdy.

Additionally, the Office action cites Sutherland as teaching “switching on an increased current drain” and “blocking generation of high voltage.” Applicants assert that Sutherland does not teach operations that are carried out during the start-up of a product as recited in amended claim 13. Sutherland, col. 9 lines 41 – 49 and col. 10, lines 4 – 9, addresses operations that occur “when an intrusion is detected by the detector.” (col. 9, line 42). However, the cited teachings of Sutherland are not operations carried out during the start-up of the product as recited in amended claim 13.

Claims 14 and 15 depend from and incorporate all of the limitations of claim 13. Applicants respectfully assert that dependent claims 14 and 15 are allowable at least based on an allowable claim 13.

CONCLUSION

Applicants respectfully request reconsideration of the claims in view of the proposed amendments and the remarks made herein. A notice of allowance is earnestly solicited.

At any time during the pendency of this application, please charge any fees required or credit any over payment to Deposit Account **50-4019** pursuant to 37 C.F.R. 1.25. Additionally, please charge any fees to Deposit Account **50-4019** under 37 C.F.R. 1.16, 1.17, 1.19, 1.20 and 1.21.

Respectfully submitted,

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